

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

ROYCE PRIVETT,

PLAINTIFF,

VS.

STATE OF ALABAMA,

DEFENDANT.

CIVIL ACTION NO: 2:06-CV-1019MHT (WO)

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CLERK R. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

MOTION FOR RELIEF FROM JUDGEMENT

Comes now the Plaintiff, Royce Privett, Pro-Se, in the above styled cause, and pursuant to Rule 60 (b)(4) of the Federal Rules of Civil Procedure, and moves this court for relief from the judgement entered on the 20th day of November, 2006, and the Plaintiff shows the following in support thereof:

- 1)On November, 20, 2006, this court levied a cost against the Plaintiff in the above styled cause of 350 dollars.
- 2)This court concluded that the petition should be a writ of habeas corpus (DOC.9-1).
- 3.The United States Supreme Court denied the appeal of this petition as a writ of habeas corpus (EXHIBIT A)
- 4)The filing fee for a writ of habeas corpus is five (5) dollars pursuant to 28 U.S.C § 1914(a)

5)The decisions of the united states supreme court are binding on this court.

6)The decision of this court accessing the fee of 350. dollars is void, See 28 U.S.C §1914(a), 28 U.S.C§2244(b)(3)(a) Because this court was not authorized to consider a sucessive petition. see in re Medina 109 F.3d 1556(11th Cir 1997)

PRAYER

Wherefore, Plaintiff prays this court to vacate the judgement entered on the 20th day of novemeber, 2006, accessing the fee of 350 dollars, and to forward a order to SOUTH LOUISIANA CORR, SERVICES INC. 3843 STAGG AVE, BASILE, LOUISIANA 70515 directing the account clerk to refund the 9.84 to the plaintiff and to refrain from any future withholdings from the plaintiff's monies in this cause.

royce privett

CERTIFICATE OF SERVICE

I hereby certify, that I have served a copy of the foregoing on the defendants by U.S. MAIL, FIRST CLASS POSTAGE PRE-PAID and addressed to ATTORNEY GENERAL 11 SOUTH UNION STREET MONTGOMER ALABAMA 36130 on this 21 day of March 2007.

ATTORNEY GENERAL

11 SOUTH UNION STREET

MONTGOMERY, ALABAMA 36130

DEFENDANTS

ROYCE PRIVETT #181935

BEARCAT-4-BED-11

S.L.C.C.-3843 STAGG AVE

BASILE, LOUISIANA 70515

PLAINTIFF

House of West (181973)-
B-ent-4-11
S.LCC-3843 STAFFAGE
Bassile, LA 70515

U.S. DISTRICT COURT
1000 DEADERICK ST. NEW ORLEANS, LA 70130
202 983-4400 FAX 202 983-4401

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**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

William K. Suter
Clerk of the Court
(202) 479-3011

February 26, 2007

Mr. Royce Privett
Prisoner ID A-181935
Bearcat #4-Bed-11
S.L.C.C. 3843 Stagg Avenue
Basile, LA 70515

Re: In Re Royce Privett
No. 06-9169

Dear Mr. Privett:

The Court today entered the following order in the above-entitled case:

The petition for a writ of habeas corpus is denied.

Sincerely,



William K. Suter, Clerk